

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAKE HOUSTON  
5474 Euclid Street  
Philadelphia, PA 19131-3104

Plaintiff,

vs.

PERFECTION COLLECTION, LLC  
313 E. 1200 S. Suite 102  
Orem, UT 84058

Defendant.

CIVIL ACTION NO.

**COMPLAINT**

**I. INTRODUCTION**

1. This is an action for damages brought by a consumer pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 (“FDCPA”).
2. The FDCPA requires a mandatory initial validation notice as an informal dispute mechanism.
3. Defendant is subject to strict liability for sending a collection letter which violates the provisions of the FDCPA.

**II. JURISDICTION**

4. Subject matter jurisdiction of this Court arises under 15 U.S.C § 1692k and 28 U.S.C. §1331, 1337.

**III. PARTIES**

5. Plaintiff Jake Houston ("Plaintiff"), is an adult individual and a consumer who resides in Philadelphia, Pennsylvania at the address captioned.

6. Defendant, Perfection Collection LLC, ("Perfection") is a Utah limited liability company with a mailing address as captioned.

7. Perfection regularly engages in the collection of consumer debts by use of the mails and telephone.

8. Perfection regularly attempts to collect debts alleged to be due another.

9. Perfection is a "debt collector" as that term is contemplated in the FDCPA, 15 U.S.C. § 1692a(6).

**IV. STATEMENT OF CLAIM**

10. On April 21 2011, Perfection sent Plaintiff a communication in connection with a consumer debt alleged due. (Exhibit "A", redacted per Fed. R. Civ. P. 5.2).

11. Perfection's letter reads in part:

"If there is an error in the amount shown, you must send us written notice of these facts within 30 days. We will obtain verification of this debt and mail it to you. Also, upon written request within 30 days, we will furnish you with the name of the original creditor if different from that shown. However, if you do not notify us within 30 days, we shall assume that the amount shown above is correct."

(Exhibit "A")

12. Section 1692g(a) of the FDCPA requires a debt collector to provide a consumer with a Notice containing information about the alleged debt and a consumer's rights as more specifically set forth in subsections (a)(1)-(5).

13. This Notice is an important statutory right which must be provided fully and clearly to a consumer.

14. Specifically, section 1692g(a) requires a debt collector to include:

“(3) a statement that unless the consumer, within thirty days after receipt of the notice, disputes the validity of the debt, or any portion thereof, the debt will be assumed to be valid by the debt collector;

(4) a statement that if the consumer notifies the debt collector in writing within the thirty-day period that the debt, or any portion thereof, is disputed, the debt collector will obtain verification of the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by the debt collector;”

15. Defendant’s April 21, 2011 letter mis-states the information required to be disclosed to the consumer under Section 1692g(a)(3)-(4).

16. Moreover, the statement that only “errors in the amount” can be disputed is a misleading statement about the consumer’s right to dispute the validity of a debt (including any alleged default status, fees assessed, assignments, etc.) or any portion of the debt.

**COUNT I - FAIR DEBT COLLECTION PRACTICES ACT**

17. Plaintiff repeats the allegations contained above as if the same were here set forth at length.

18. The April 21, 2011 collection letter from defendant Perfection violates the Fair Debt Collection Practices Act by failing to fully and clearly give Plaintiff the statutory Notice required by 15 U.S.C. § 1692g.

**WHEREFORE**, plaintiff, Jake Houston demands judgment against defendant Perfection Collection, LLC for:

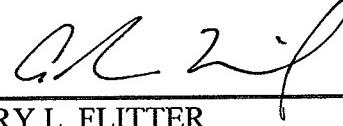
- (a) Damages;
- (b) Attorney’s fees and costs;
- (c) Such other and further relief as the Court shall deem just and proper.

V. **DEMAND FOR JURY TRIAL**

Plaintiff demands a trial by jury as to all issues so triable.

Respectfully submitted:

Date: 2/8/12

  
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# **EXHIBIT "A"**

313 E 1200 S suite 102

Orem, UT 84058

(801) 921-7379

REGARDING: Vivint (APX Alarm)

ACCOUNT # [REDACTED]

AMOUNT DUE: \$ 1439.64

**THIS IS A DEMAND FOR  
FULL PAYMENT ON YOUR ACCOUNT**

Your creditor had placed your bill for collection.

To avoid errors and to clear your credit record, please make your check payable to Perfection Collection LLC and send it to our office to the address above or you can make a payment on our website at [www.perfectingcollecting.com](http://www.perfectingcollecting.com)

If there is an error in the amount shown, you must send us written notice of these facts within 30 days. We will obtain verification of this debt and mail it to you. Also, upon written request within 30 days, we will furnish you with the name of the original creditor if different from that shown. However, if you do not notify us within 30 days, we shall assume that the amount shown above is correct.

In order to ensure that your account is properly credited, please write your account number on all payments and return with the lower portion of this notice. Should you have any questions, please call us at (801) 921-7379. We will be happy to discuss your account and assist you in reaching a positive resolution.

Sincerely,

Perfection Collection LLC

April 21st, 2011



This is an attempt to collect a debt. Any information obtained will be used for that purpose.

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Perfection Collection LLC  
313 E 1200 S suite 102  
Orem, UT 84058

Regarding: Vivint (APX Alarm)  
Account # [REDACTED]  
Amount: \$ 1439.64

Perfection Collection LLC  
313 E 1200 S suite 102  
Orem, UT 84058

Dorothy & Jake Houston  
5474 Euclid St  
Philadelphia, PA 19131-3104